



Planning and Transportation  
301 W. Chestnut  
Rogers, Arkansas 72756  
479-621-1186  
(FAX) 479-986-6896  
[www.rogersar.gov](http://www.rogersar.gov)

## NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held before the Rogers Planning Commission in the Rogers City Hall at 301 West Chestnut on July 19, 2016 at 4:30 p.m. on the application by Jon R. Brittenum to Rezone 7.82 acres located east of Kilimanjaro Way from R-O (Residential Office) to RMF-9A (Residential Multifamily). The property being more particularly described as follows:

### LEGAL DESCRIPTION:

PART OF LOT 14 THE PEAKS SUBDIVISION PHASE 2, BEING FILED FOR RECORD AUGUST 2, 2004 AS PLAT RECORD 2004-868 AND BEING PART OF SECTION 27, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 14 THENCE S02°17'41"W 465.93 FEET; THENCE S07°03'19"W 207.68 FEET; THENCE S86°20'17"E 149.39 FEET; THENCE N52°21'29"E 128.38 FEET; THENCE S87°04'35"E 221.73 FEET; THENCE S02°17'42"W 178.38 FEET; THENCE 47.12 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 30 FEET AND A CHORD BEARING AND DISTANCE OF S47°15'25"W 4242 FEET ; THENCE N87°42'51"W 15.69 FEET; THENCE 399.08 FEET, ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 900 FEET AND A CHORD BEARING AND DISTANCE OF S79°34'58"W 395.82 FEET; THENCE 120.24 FEET, ALONG THE ARC OF A CURVE TO THE LEFT. HAVING A RADIUS OF 1831.37 FEET AND A CHORD BEARING AND DISTANCE OF S64°59'55"W 120.22 FEET; THENCE 46.24 FEET, ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 30 FEET AND A CHORD BEARING AND DISTANCE OF N72°43'44"W 41.79 FEET; THENCE N28°34'32"W 53.92 FEET; THENCE 282.17 FEET, ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 475 FEET AND A CHORD BEARING AND DISTANCE OF N11°33'27"W 278.04 FEET; THENCE N05°27'37"E 363.86 FEET; THENCE 31.7 FEET, ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 60 FEET AND A CHORD BEARING AND DISTANCE OF N20°35'48"E 31.33 FEET; THENCE 133.57 FEET, ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 50 FEET AND A CHORD BEARING AND DISTANCE OF N40°47'43"W 97.25 FEET; THENCE 31.7 FEET, ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 60 FEET AND A CHORD BEARING AND

DISTANCE OF S77°48'47"W 31.33 FEET; THENCE N87°03'06"W 222.45 FEET; THENCE N02°56'57"E 199.74 FEET; THENCE S87°05'36"E 330.22 FEET; THENCE S02°09'46"W 33.01 FEET; THENCE S87°05'33"E 177.71 FEET; TO THE POINT OF BEGINNING, CONTAINING 7.82 ACRES, MORE OR LESS.

**LAYMAN'S DESCRIPTION:**

Property east of Kilimanjaro Way, Rogers, Arkansas

Jim White, Secretary  
Rogers Planning Commission

**PUBLISH ONE TIME ONLY 7-4-2016**  
**BILL THE CITY OF ROGERS**

**REZONING APPLICATION**NUMBER 16-17**APPLICANT PROVIDES:**APPLICANT NAME: Jon R. BrittenumADDRESS: P.O. Box 3773, Fayetteville, AR 72702EMAIL jbrittenurn@cox.netTELEPHONE NUMBER: 479-582-8732PROPERTY OWNED BY: CH Peaks LLC

TELEPHONE NUMBER: \_\_\_\_\_

ADDRESS: 599 Horsebarn Road, Suite 100, Rogers, AR 72758GENERAL LOCATION OF PROPERTY: Parcel 02-16715-011, East of Kilimanjaro WayPRESENT USE: ~~Vacant~~ R-0PROPOSED USE: Multifamily Residential (RMF-9A)
  
 APPLICANT SIGNATURE

LEGAL DESCRIPTION OF PROPERTY: (metes and bounds or lot and block)

{Attach legal description as exhibit "A" if necessary.}

ATTACH A MAP SHOWING THE AREA TO BE REZONED

**PLANNING AUTHORITY PROVIDES:**REZONING FROM: R-0 TO: RMF-9ADATE FILED 6/30/16PUBLIC HEARING DATE: 7/19/16

CONTINUED TO DATE: \_\_\_\_\_

APPLICATION FEE: \$200 (paid)

OTHER FEES: \_\_\_\_\_

PLANNING COMMISSION ACTION: \_\_\_\_\_

DATE: \_\_\_\_\_

CITY COUNCIL ACTION: \_\_\_\_\_

DATE: \_\_\_\_\_

ORDINANCE NUMBER \_\_\_\_\_

OTHER INFORMATION: \_\_\_\_\_

## PROPERTY OWNER AFFIDAVIT

The petitioner, Jon Brittenum, petitions the Planning Commission of the City of Rogers, Arkansas to rezone certain real property as set forth herein:

LEGAL DESCRIPTION: See Attached

LAYMAN'S DESCRIPTION: Property East of West Kilimanjaro Way, Rogers, Arkansas

PRESENT ZONING: R-O

ZONING REQUEST: RSF-9A

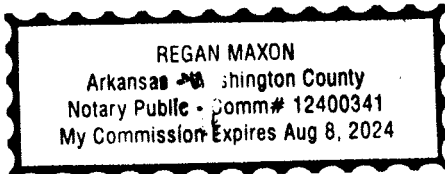
Respectfully Submitted,

By: [Signature]  
(Property Owner Signature)

STATE OF ARKANSAS

COUNTY OF WASHINGTON

Subscribed and sworn before me this the 30<sup>th</sup> day of June, 2016.



Regan Maxon  
Notary Signature

Regan Maxon  
Notary Name Printed

8/8/2024  
Commission Expires





**Bates &  
Associates, Inc.**

**Civil Engineering & Surveying**

7230 S. Pleasant Ridge Dr / Fayetteville, AR 72704

PH: 479-442-9350 \* FAX: 479-521-9350

6/29/16

Re: Rezoning for Shadowbrooke at the Peaks

Legal Description

PARCEL #02-16715-011:

PART OF LOT 14 THE PEAKS SUBDIVISION PHASE 2, BEING FILED FOR RECORD AUGUST 2, 2004 AS PLAT RECORD 2004-868 AND BEING PART OF SECTION 27, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 14 THENCE S02°17'41"W 465.93 FEET; THENCE S07°03'19"W 207.68 FEET; THENCE S86°20'17"E 149.39 FEET; THENCE N52°21'29"E 128.38 FEET; THENCE S87°04'35"E 221.73 FEET; THENCE S02°17'42"W 178.38 FEET; THENCE 47.12 FEET, ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 30.00 FEET AND A CHORD BEARING AND DISTANCE OF S47°17'25"W 42.42 FEET; THENCE N87°42'51"W 15.69 FEET; THENCE 399.08 FEET, ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 900.00 FEET AND A CHORD BEARING AND DISTANCE OF S79°34'58"W 395.82 FEET; THENCE 120.24 FEET, ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1831.37 FEET AND A CHORD BEARING AND DISTANCE OF S64°59'55"W 120.22 FEET; THENCE 46.24 FEET, ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 30.00 FEET AND A CHORD BEARING AND DISTANCE OF N72°43'44"W 41.79 FEET; THENCE N28°34'32"W 53.92 FEET; THENCE 282.17 FEET, ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 475.00 FEET AND A CHORD BEARING AND DISTANCE OF N11°33'27"W 278.04 FEET; THENCE N05°27'37"E 363.86 FEET; THENCE 31.70 FEET, ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 60.00 FEET AND A CHORD BEARING AND DISTANCE OF N20°35'48"E 31.33 FEET; THENCE 133.57 FEET, ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 50.00 FEET AND A CHORD BEARING AND DISTANCE OF N40°47'43"W 97.25 FEET; THENCE 31.70 FEET, ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 60.00 FEET AND A CHORD BEARING AND DISTANCE OF S77°48'47"W 31.33 FEET; THENCE N87°03'06"W 222.45 FEET; THENCE N02°56'57"E 199.74 FEET; THENCE S87°05'36"E 330.22 FEET; THENCE S02°09'46"W 33.01 FEET; THENCE S87°05'33"E 177.71 FEET; TO THE POINT OF BEGINNING, CONTAINING 7.82 ACRES, MORE OR LESS.

Sincerely,

Jason Young

**Bates & Associates, Inc.**



VICINITY MAP

